

LEXINGTON PLANNING COMMISSION

July 11, 2024 - 5:00 P.M

**Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

AGENDA

- 1. CALL TO ORDER**
- 2. APPROVAL OF THE AGENDA**
- 3. APPROVAL OF MINUTES**
Minutes from June 27, 2024*
- 4. CITIZENS’ COMMENTS ON MATTERS NOT ON THE AGENDA**
- 5. NEW BUSINESS**
 - A. Elect Chairperson
 - 1) Nominations
 - 2) Motion & Vote
 - B. Elect Vice-Chairperson
 - 1) Nominations
 - 2) Motion & Vote
 - C. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.
 - 1) Staff Report*
 - 2) Public Comment
 - 3) Commission Discussion
- 6. OTHER BUSINESS**
 - A. Zoning and Planning Report
 - B. Key Annual PC Milestones: Ongoing. Remaining items:
 - 1) Zoning Text Amendments: Ongoing. Remaining items:
 - a. Cottage Housing
 - b. What else, if any?
 - 2) Comp Plan Review: Ongoing
 - 3) Major Project Update
- 7. CITY COUNCIL REPORT**
- 8. ADJOURN**

*indicates attachment

MINUTES

**The Lexington Planning Commission
Thursday, June 27, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

Planning Commission:

Presiding: Jon Eastwood, Temporary Chair
Present: Mary Stuart Harlow
Gladys Hopkins
Leslie Straughan, Council Liaison

Absent: Pat Bradley, Chair
John Driscoll
Shannon Spencer, Vice-Chair

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

CALL TO ORDER

Director Glaeser called the meeting to order at 5:01 p.m.

ELECTION OF TEMPORARY CHAIR

- 1) Nominations & Vote – **L. Straughan nominated Jon Eastwood to serve as Temporary Chair and M. S. Harlow seconded. The motion passed unanimously. (4-0)**

AGENDA

The agenda was unanimously approved as presented. (L. Straughan / G. Hopkins)

MINUTES

The June 13, 2024 minutes were unanimously approved as presented. (G. Hopkins / M. S. Harlow)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. CUP 2024-04: An application by Tori and Joey Bates, owners of 313 S. Jefferson Street (TM #23-1-23), for approval of a Conditional Use Permit to convert a portion of their existing detached garage to an accessory dwelling unit (to be addressed 103 White Street).

- 1) Staff Report – This was a request by the owners of 313 S. Jefferson Street to convert a portion of their existing detached garage into an accessory dwelling unit. While the primary residence faces S. Jefferson Street, the two-car garage fronts on White Street, and the entrance to the proposed dwelling unit is on the lower right side at the rear of the structure. The building was designed such that the living space at the rear was able to be stacked as a two-story space while the garage at the front is single story. Director Glaeser reminded the Commission that the newly adopted standards for ADUs require a conditional use permit for an ADU in a detached structure. Noting that this was the first

such application to be considered, he pointed to his notes in the staff report which addressed each of the pertinent standards individually. He highlighted the fact that, with three off-street parking spaces in addition to the garage parking, the proposal exceeded the parking requirements. He said the applicants' intent was to move their existing short term rental registration into the garage unit and were fully aware of the additional short term rental requirements they would have to abide by. In response to a question from L. Straughan about how the height of the building was measured, he explained the code required height to be measured from a building's entrance. In this case, measuring from the entrance to the living space at the rear of the building to the tallest point on the roof, the building's height was 24 feet. L. Straughan pointed out that if the entrance to the garage had been considered to be the building entrance, the building height would have been determined to be less than 20 feet. In either case, the building was below the 25 foot maximum height limit for a detached ADU. A. Glaeser explained that while that was the case, because the subject building was approved and permitted prior to February 1, 2024, it qualified as a nonconforming structure and was therefore required to meet the requirements of §420-11.1.E.8., rather than those for new ADUs. He confirmed the proposed detached ADU complied with those requirements and said he believed its impact on adjacent properties would be minimal, given its very small size and the specific additional standards for short term rentals in ADUs. He provided the Commissioners with a floorplan of the building and an explanation of the apartment layout. He recommended approval of the application with the following conditions:

1. The size of the detached ADU shall not be increased unless permitted by a revised conditional use permit.
 2. The use of the detached ADU for short term rental shall be subject to both the general standards for short term rentals in Sec. 420-11.3.22 and the specific standards for short term rentals in detached ADUs in Sec. 420-11.1.1.C.10.
- 2) Applicant Statement – Applicant and property owner, Tori Bates responded to a concern voiced by G. Hopkins about available parking along White Street. She confirmed the parking pad in front of the garage had room for three parked cars and that those spots were in addition to the parking available for 2+ cars inside the garage.
 - 3) Public Comment – Arthur Bartenstein of 614 Stonewall Street and owner of 104 White Street, the property directly across the street from the Bates' garage, said he had no concerns about the application. He said he did not foresee the ADU having a negative impact on parking and noted there was generally on-street parking available on the block. He added that, as a member of the Architectural Review Board, he felt the applicants had done a very nice job of adjusting their plans to suit the ARB's design preferences.
 - 4) Commission Discussion & Decision – G. Hopkins indicated her only concern had been about parking which she now felt was adequately addressed. M. S. Harlow asked which nearby property owners had received notice of the application in the mail. A. Glaeser said notices were mailed to the owners of the properties immediately adjacent to, or directly across the street from the Bates' property. He added that the notice was also posted on the property and advertised in the News Gazette. Citing the Commission's intent when drafting the ordinance to allow ADUs as being a concern for increasing options for the city's overall long-term housing stock as opposed to short term rentals, Commissioner Harlow voiced a reluctance to make a recommendation on the application

without the input of the full Commission. L. Straughan said she believed adequate safeguards had been built into the ordinance to protect against an oversaturation of short term rentals. A. Glaeser suggested the city could, after approving several ADUs, undertake a reassessment of the ordinance and amend specific provisions if necessary. **L. Straughan moved to approve Conditional Use Permit number CUP 2024-04 with the two (2) staff recommended conditions. J. Eastwood provided the second and the motion carried. (3-1)**

AYES: J. Eastwood, G. Hopkins, L. Straughan

NAYS: M. S. Harlow

B. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

1) Staff Report –

A. Glaeser provided an overview of the cottage housing proposals submitted by Max Ivankov for his properties at the corner of Houston and Walker Streets. He noted that the approximately 0.7 acre property was comprised of 2 parcels in the R-1 zoning district and led the Commission through the various concept proposals submitted for the property. He pointed to the rendering of the Concept A plan showing the development in context with the neighborhood and noted the individual units, while more densely sited on the parcel, were in fact not markedly smaller than a number of existing nearby dwellings.

Max Ivankov came to the lectern to answer questions and provide additional details. He said each unit would have a footprint of approximately 18' x 30' and would include a loft. He indicated he also hoped to include under house storage for each unit if feasible. When asked about possible price points for the proposed units, he said the proposal was still highly conceptual, but affordability was the focus.

Addressing the overall dimensions of the two lots and R-1 lot requirements, A. Glaeser noted the property could be subdivided into 4 parcels. He remarked that existing zoning already allows doubling density in the R-1 by means of either an ADU or a duplex and suggested care would need to be taken when determining density for cottage developments and whether to incentivize them. When asked by L. Straughan to comment on the concepts submitted by Mr. Ivankov, A. Glaeser observed that the parking did not appear to be fully corralled as is typically required in this type of development. He said the Commission would have to consider whether the parking shown along Walker Street could be counted toward the overall parking requirement. He also pointed out the different approaches to the orientation and treatment of the common space and suggested considering whether the common space ought to be oriented internally, for the exclusive use of the cottage residents, or if positioning the common space in a more public manner, facing the street, was also acceptable. Other items to consider were whether duplex style units would be acceptable and whether a common building would be considered an amenity or a requirement.

Mr. Ivankov commented that the property's corner location and lengthy adjacency with public streets created the possibility for more access points and meant the traffic did not have to be confined to one point. He also remarked that he preferred a more public

facing common space as he felt it added more street appeal and greater public appreciation for the community.

- 2) Public Comment – There was no additional comment from the public.
- 3) Commission Discussion – L. Straughan asked how the city could encourage cottages as “for sale” units so as to keep them affordable. A. Glaeser said zoning was a tool that could be used to influence use but could not influence ownership. He said regulations or restrictions associated with cottage rental would have to be established by the development’s HOA. He added that he thought there was adequate justification to restrict short term rentals in cottage developments.

OTHER BUSINESS

Director Glaeser announced that Krista Anderson would be joining the Planning Commission effective August 1st. He introduced Ms. Anderson and welcomed her to the Commission.

A. Zoning and Planning Report – Director Glaeser reported the following:

- The regionwide housing study conducted by the CSPDC will be completed soon.
- A contract has been issued for the windshield survey of housing conditions. The survey should be completed by January 2025.
- The Board of Zoning Appeals met last month and denied a variance for signs at Weatherburn.
- A demolition permit was issued for the house at 114 McLaughlin Street.
- The Building Official expects a permit application from the VMI Foundation to demolish the house at 417 N. Randolph Street.
- Staff recently helped with two boundary line disputes.
- City staff has been working on enforcement related to complaints received about maintenance issues at approximately 10 separate properties.

CITY COUNCIL REPORT -

L. Straughan reported that July 5th would be the 250th anniversary of Thomas Jefferson’s purchase of Natural Bridge. Additionally, Council was no longer considering the proposed tax abatement for Echelon for the Spotswood property as it was determined to be illegal. Echelon has until April 2025 to begin construction on the Spotswood and VDOT properties.

ADJOURN

The meeting adjourned at 6:07 p.m. (L. Straughan / J. Eastwood)

J. Eastwood, Temporary Chair, Planning Commission

Draft amendments for Cottage Housing

Proposed Amendments to the Zoning Chapter (*Chapter 420*)

The Lexington Planning Commission is considering a zoning text amendment to potentially allow cottage housing in accordance with strategy H.O. 5.3 that recommends we explore zoning modifications to facilitate the creation of a variety of safe, affordable, and innovative housing options, including other housing types that achieve higher densities and a diversity of housing options. This review of other ordinances that permit cottage housing, along with the consideration to modify the Lexington Zoning Ordinance, is in support of strategy H.O. 5.3 of the Lexington Comprehensive Plan.

April 25, 2024 P.C. meeting: staff presented an overview of the cottage housing development concept.

May 9, 2024 P.C. meeting: the cottage housing regulations for Winchester, Virginia were reviewed.

May 23, 2024 P.C. meeting: staff provided an overview of the Railroad Cottages development in Falls Church, VA, along with a review of the accompanying cottage housing zoning code adopted by Falls Church in 2017.

June 13, 2024 P.C. meeting: staff provided an overview of the Third Street Cottages development in Langley, WA along with a review of the accompanying cottage housing zoning code adopted by Langley in 1995 and modified thereafter.

June 27, 2024 P.C. meeting: staff provided an overview of the cottage housing proposal submitted by Max Ivankov for his properties at the corner of Houston and Walker Streets.

July 11, 2024 P.C. meeting: staff will provide the structure of the Winchester, VA cottage housing code, and sample language from other cottage housing codes will be provided for each element within the Winchester code. The Planning Commission can then discuss the options for each element and decide on the language to be included in the draft that will be advertised for a public hearing.

Another resource recently discovered is The Housing Partnership's *Cottage Housing in Your Community* report dated June, 2001. This report provides a guide to drafting a cottage housing ordinance and can be found at:

<https://www.lexingtonva.gov/home/showpublisheddocument/3410/638532840907866948>

LEXINGTON ZONING ORDINANCE
ARTICLE XI. Use and Design Standards
§420-11.1. Residential Uses.
2. Cottage Housing

A. PURPOSE AND INTENT.

Winchester, VA

The general purpose of the cottage housing development design standards are as follows:

1. A cottage housing development is an alternative type of detached housing providing small residences that replicate the size, proportionality and character of craftsman-style homes built in the 1910’s to 1930’s, for households of typically one to two individuals. Cottage housing is provided as part of the city’s overall housing strategy which intends to encourage affordability, innovation and variety in housing design and site development while ensuring compatibility with existing neighborhoods, and to promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition and individual needs.
2. The cottage housing development design standards contained in this article are intended to create a small community of cottages oriented around open space that is pedestrian-oriented and minimizes the visibility of off-street parking. These design standards are intended to ensure that cottage housing developments include pedestrian amenities and take advantage of existing natural features on the site including topography and vegetation. The cottage housing development design standards are intended to maintain traditional cottage amenities and proportions and ensure that cottage housing developments contribute to the overall community character. Alternative designs that meet the objectives of the design standards may be reviewed through the conditional use permit process to accomplish the objectives of this article.
3. Cottage housing may allow higher residential density than is normally allowed in the underlying zoning district. This increased density is possible through the use of smaller than average dwelling unit sizes, clustered parking, and site design standards.
4. All cottage housing developments are subject to current city stormwater standards and shall incorporate stormwater low impact development techniques whenever possible.

Shoreline, WA

The purpose of this subchapter is to establish standards for cottage housing developments in R-4, R-6, R-8 and R-12 zones. All cottage housing developments shall meet the design standards contained in this subchapter. Standards that are not addressed in this subchapter will be supplemented by the standards in SMC 20.40.300 and the remainder of this chapter. In the event of a conflict, the standards of this subchapter shall prevail. The purposes of this subchapter are as follows:

Prepared by the City of Lexington Department of Planning and Development for the July 11, 2024 Planning Commission Meeting

1. To increase the supply and variety of housing choices available in the city to better meet the needs of residents, especially those in smaller households.
2. To encourage development of attractive infill residential communities that are compatible with other forms of low-density residential uses.
3. To enhance the aesthetic appeal of new cottage housing development by encouraging a variety of home sizes and heights, in an architecturally cohesive development.
4. To encourage site design which maximizes the preservation of existing large trees in order to provide habitat for wildlife, protect biodiversity, and enhance the environmental quality of the development.
5. To provide a site design that fosters community interaction, a sense of safety, and connection to the environment by orienting cottages around accessible, usable, common open space while reducing the dominance of vehicles on the site.
6. To provide a cottage design that encourages community interaction through usable front porches while maintaining a resident’s privacy within the home. (Ord. 984 § 1 (Exh. A), 2023).

B. APPLICABILITY, APPLICATION PROCESS, AND DESIGN REVIEW.

Winchester, VA

Applicability of this article, application procedure and the process for design review are pursuant to Article 18, General Provisions, and Article 19, Site Plan Requirements.

Abingdon, VA

Application process and design review. The application and review process are pursuant to Article III, Permits and Applications.

C. DENSITY, NUMBER OF COTTAGE HOUSING UNITS AND MINIMUM LOT AREA.

Winchester, VA

1. In cottage housing developments the permitted densities shall be as follows:

Zoning District	Maximum Cottage Density	Minimum Number of Cottages per Cottage Housing Development	Maximum number of Cottages per Cottage Housing Development	Minimum Lot Size (accommodates 4 cottages)
Central Business (B-1) and Residential Business (RB-1)	1 cottage dwelling per 2,000 sf	4	8	8,000 sf
High Density Residential (HR)	1 cottage dwelling per 2,000 sf	4	10	8,000 sf
Limited High Density Residential (HR-1)	1 cottage dwelling per 2,800 sf	4	10	11,200 sf
Medium Density Residential (MR)	1 cottage dwelling per 2,800 sf	4	12	11,200 sf

2. Projects that exceed the above maximums must be processed as planned unit developments per Article 13 of the Winchester Zoning Ordinance.

Cottage housing developments shall adhere to the requirements of Table 7.2.13

Table 7.2.13 Cottage Housing Development Requirements				
Zoning District	Maximum Density	Minimum Number/Density of Cottages per Development	Maximum Number/Density of Cottages per Development	Minimum Lot Size
Limited Business (B-1) and General Business (B-2)	1 cottage per 4,000 square feet	4	8 cottages per acre	2 acres
High-Density Residential (R-3), Mixed Residential (R-4), and Mixed High-Density Residential (R-5)	1 cottage per 4,000 square feet	4	8 cottages per acre	2 acres

Notes for Table 7.2.12 Cottage Housing Development Requirements

[1] The densities set forth may be increased in accordance with the open space and low-income incentives set forth in Article V, Division 5, Planned Unit Development.

Falls Church, VA

Zoning District	Maximum Cottage Density	Minimum Number of Cottages per Cottage Housing Development	Maximum number of Cottages per Cottage Housing Development	Minimum Lot Size (accommodates 9 cottages)
R-1A (Low Density Residential District)	parcel s.f. ÷ 10,000 x 2	(none)	18	45,000 sf

Port Townsend, WA

Zoning District	Maximum Cottage Density	Minimum Number of Cottages per Cottage Housing Development	Maximum number of Cottages per Cottage Housing Development	Minimum Lot Size (accommodates 4 cottages)
R-I Low Density Residential	1 cottage dwelling per 5,000 sf	4	8	20,000 sf
R-II Medium Density Single-Family	1 cottage dwelling per 2,500 sf	4	12	10,000 sf
R-III Medium Density Multifamily	1 cottage dwelling per 2,500 sf	4	14	10,000 sf

Lexington, VA

(to be completed)

Zoning District	Maximum Cottage Density	Minimum Number of Cottages per Cottage Housing Development	Maximum number of Cottages per Cottage Housing Development	Minimum Lot Size (accommodates 9 cottages)
R-1	Single family x 2.5	4	12	24,000 sf (8,000 x 4)
R-2	Single family x 2	4	12	60,000 sf (15,000 x 4)
R-LC (?)	Single family x 2.5	4	12	24,000 sf (8,000 x 4)

D. EXISTING NONCONFORMING STRUCTURES AND ACCESSORY TWO-FAMILY DWELLING UNITS.

Winchester, VA

1. On a lot to be used for a cottage housing development, an existing detached single-family dwelling, which may be nonconforming with respect to the standards of this article, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.
 - a. Nonconforming dwelling units may be modified to be more consistent with this article. For example, roof pitches may be increased consistent with Section 13.1-5, but the building ground floor or total floor area may not be increased greater than permitted by Section 13.1-11.
2. New accessory two-family dwelling units are not permitted in cottage housing developments. All residential units in a cottage housing development count towards the maximum permitted density. An existing accessory two-family dwelling may be counted as a cottage unit if the property is developed subject to the provisions of this article.

Abingdon, VA

- d) Existing nonconforming structures.
 - (1) On a lot to be used for a cottage housing development, an existing detached single family dwelling, which may be nonconforming with respect to the standards of this article, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.
 - (2) All residential units in a cottage housing development count towards the maximum permitted density.

Port Townsend, WA

- 17.34.040 Existing nonconforming structures and accessory dwelling units.
- A. On a lot to be used for a cottage housing development, an existing detached single family dwelling, which may be nonconforming with respect to the standards of this article, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.
 1. Nonconforming dwelling units may be modified to be more consistent with this chapter. For example, roof pitches may be increased consistent with PTMC 17.34.050, but the building ground floor or total floor area may not be increased greater than permitted by PTMC 17.34.110.

(staff notes that PTMC 17.34.050 is the section of the Port Townsend cottage housing code regulating building height and roof pitch, while PTMC 17.34.110 is the section of the cottage housing code regulating cottage floor area.)

E. BUILDING HEIGHT.

Winchester, VA

1. Objective. Structures in cottage housing developments shall be designed to be single-story or single-story plus a loft. Because the base density is higher and building separation less than on typical residential lots, it is important to maintain a feeling of adequate light

and open space by providing more restrictive maximum roof heights and roof proportion standards.

- a. The maximum roof pitch for a cottage housing structure shall be 12/12, and the minimum roof pitch shall be 8/12.
- b. Maximum floor to floor height for lofts shall not exceed 10'-0".

Falls Church, VA

- (5) No building in the proposed development will exceed 1 ½ stories or be more than 25 feet in height. No basement or crawl space with an average floor to ceiling height of more than 4 ½ feet in height will be permitted.

(The Falls Church definition of half story is: Story, half, means a partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior sides are not more than two feet above the floor of such story; provided that any such story used as a separate dwelling unit, other than by a janitor or other employee and his family, shall be counted as a full story. (See illustration 3 at the end of this section.)

Town of Abingdon, VA

- (e) Maximum building height is 25 feet.

Town of Vienna, VA

Building height is 28 feet maximum.

Shoreline, WA

Height. Cottages are limited to a maximum height of 24 feet.

Port Townsend, WA

17.34.050 Building height.

- A. Objective. Structures in cottage housing developments shall be designed to be single story or single story plus a loft. Because the base density is higher and building separation less than on typical residential lots, it is important to maintain a feeling of adequate light and open space by providing more restrictive maximum roof heights and roof proportion standards.
1. The maximum building height permitted for structures in cottage housing developments shall be 18 feet.
 2. The highest point of a pitched roof may extend up to 23 feet.

F. VARIATIONS IN BUILDING DESIGN.

Winchester, VA

1. Objective. Cottage housing development structures shall provide variety and visual interest by using a combination of building elements, features and treatments in cottages as well as garages. Structures must include building articulation, change in materials or textures, windows, or other architectural features. A minimum of at least one side articulation or roof break shall occur for street-facing facades or common open spaces or walkways to the common open spaces. No blank walls are allowed.
 - a. Exterior trim elements consistent with traditional cottage design and small home craftsmanship reminiscent of craftsman-style houses of 1910's to 1930's shall be incorporated into the building design and overall character.
 - b. Roofs in cottage housing developments shall have eaves to recognize traditional cottage design traits to efficiently shed rain, and provide rain protection for exterior walls. Eaves of at least 12 inches shall be provided on all cottage structures on all four sides of each building.
 - c. Changes in materials in a vertical wall shall occur at an internal corner or a logical transition such as aligning with a window edge or chimney.
 - d. Transition in materials on a wall surface, such as shingle or lap siding, shall be required to have a material separation, such as a trim band board.
 - e. Exterior wall material may consist of wood, cement fiber board, stucco, standard sized brick and stone. Simulated stone, wood, stone or brick may be used to detail homes.
 - f. Trim may be wood, cement fiberboard, stucco, or stone materials. Trim is required around all doors and windows and must be used on all elevations. Window and door trim with a minimum width of three and one-half inches shall be provided on all cottage housing development structures.
 - g. Departures from these standards shall be reviewed through the alternative design review process. Alternative designs shall demonstrate a coherent cottage housing design based upon traditional design principles including weather protection.

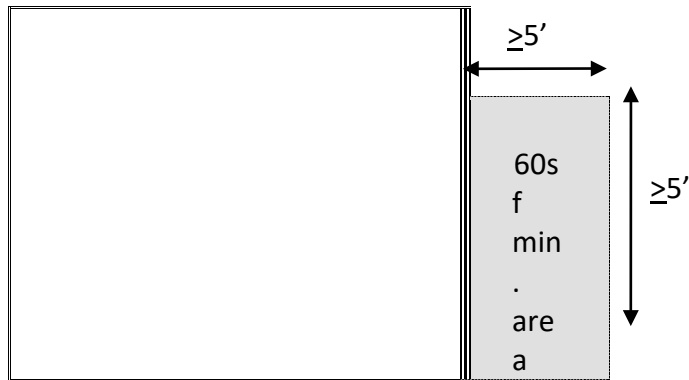
G. COVERED MAIN ENTRY PORCHES.

Winchester, VA

1. Objective. All residences in cottage housing developments shall be provided with a covered main entry porch to create a private outdoor space protected from the weather and provide a transition from the interior private residential space to the semi-private outdoor space. Covered porches shall be usable both in design and dimension.
 - a. Cottage homes shall have a covered main entry porch with a floor area measuring at least 60 square feet in size.

- b. The floor of the covered main entry porch shall have minimum dimensions of not less than five feet in any direction (length or width).

Diagram 13.1-7.



H. STREET-FACING FACADES.

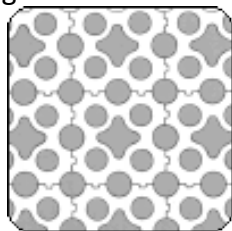
Winchester, VA

1. Objective. The street-facing facades of cottages in a cottage housing development will contribute to the neighborhood by including attractive design details such as windows, changes in materials, and views of front doors or porches. The main entries of some cottages will be visible from the adjacent streets to provide a visual pedestrian connection with the surrounding neighborhood.
 - a. All cottages shall have street-facing facades that avoid blank walls or appear to “turn their backs” to the street. All cottages shall include one or more of the following on street-facing facades:
 - i. Changes in exterior siding material and paint color;
 - ii. Windows which may include bay windows; and/or
 - iii. Building modulation with a depth measuring at least one foot.
 - b. At least one cottage shall have its front main entry door and/or front porches visible from each street frontage.

Winchester, VA

? LOT COVERAGE AREA.

1. Objective. Cottage housing developments shall not exceed underlying lot coverage standards for the respective zoning district to maintain residential neighborhood character and the balance of built structures to open spaces.
 - a. Notwithstanding the provisions of Section 13.1-13, Common Open Space, the maximum lot coverage permitted for all structures in cottage housing developments shall not exceed the requirements for the underlying zoning district contained in Article 19, Section 19-5-6.1.
 - b. The use of paver stones, pervious pavement, grasscrete®, or other types of low impact stormwater development techniques are encouraged for walkways and parking areas.



Example of grasscrete pavers in plan view

Table 13.1-9.

Zoning District	Minimum Landscape Requirement
Residentially-zoned Parcels within HW District	30%
Residentially-zoned Parcels <u>NOT</u> within HW District	45%

I. COTTAGE FLOOR AREA.

Winchester, VA

1. Objective. Structures in cottage housing developments shall be designed to be single story or single story plus a loft. Residences in cottage housing developments are primarily intended for one- and two-person households and their occasional guests. Maintaining the maximum square footage of residences in cottage housing developments is necessary to prevent overbuilding of the site and to not exceed available off-street parking.
 - a. The maximum ground floor gross area for an individual principal structure in a cottage housing development shall not exceed 864 square feet.
 - b. Lofts can be no more than 50 percent of the net floor area of the main level.

J. YARDS – BUILDING SETBACKS FROM EXTERIOR LOT LINES.

Winchester, VA

1. Objective. Exterior lot line building setbacks in cottage housing developments are based upon the allowed density of cottage housing as well as the small size of the structures. Flexible setbacks are allowed per the discretion of the Building Official and Planning Director to obtain improved site design and to avoid impacting existing physical features on the site such as trees.

Table 13.1-11.

	Front	Corner-Side	Side	Rear
Building Setback	10'	10'	5'	10'*

*-The minimum rear yard shall be 10 feet, unless abutting an alley, in which case, the minimum setback shall be 5 feet.

K. COTTAGE HOUSING DEVELOPMENT BUILDING SEPARATION.

Winchester, VA

1. Objective. Structures within cottage housing developments shall observe minimum setbacks from other cottage housing development structures to avoid overcrowding the site and to maintain a sense of privacy within the cottages themselves.
 - a. All buildings within a cottage housing development shall maintain a minimum separation of 12 feet from cottages within a cottage housing development measured from the nearest point of the exterior walls. Accessory buildings shall comply with building code requirements for separation from non-cottage structures.

L. COMMON OPEN SPACE.

Winchester, VA

1. Objective. Open space that is commonly owned by all members of a cottage housing development is an important feature of any site design. It is intended that the open space be adequately sized and centrally located with individual cottage entrances oriented towards the open space.
 - a. Common Open Space. A minimum of 400 square feet per cottage unit of common open space is required. Parking areas, yard setbacks, spaces between buildings of 12 feet or less in width, private open space, and driveways do not qualify as common open space.
 - b. Proximity to Common Open Space.
 - i. At least 50 percent of the cottage units shall abut a common open space. All of the cottage units shall be within 60 feet walking distance measured from the nearest entrance of the cottage along the shortest safe walking route to the nearest point of the common open space. The common open space shall have cottages abutting at least two sides.
 - ii. For the purposes of cottage housing, “common open space” shall be the central space that may be used by all occupants of the cottage housing development.

M. PRIVATE OPEN SPACE.

Winchester, VA

1. Objective. Each residential unit in a cottage housing development shall be provided an area of private open space. The private open space shall separate the main entrance to the cottage from the common open space to create a sense of privacy and shall be oriented to take advantage of solar orientation and other natural features to create a small but pleasant private yard area. The private open space may be separated from the common open space with a small hedge, picket fence, or other similar visual separation to create a sense of separate ownership.
 - a. Each cottage unit shall be provided with a minimum of 200 square feet of usable private open space separated from the common open space by a hedge or fence not to exceed 36 inches in height.
 - b. No dimension of the private open space shall be less than 8 feet.

N. TREE CONSERVATION.

Winchester, VA

1. Objective. Cottage housing developments shall be designed to incorporate existing trees to the extent possible. New trees shall be located to create amenities in the common open space, private open space, provide shade where appropriate, to create separation between buildings when desired, and to screen and soften the perimeter of parking areas and street facing sides of cottage housing developments.
 - a. Preservation of existing trees, and/or new trees, shall be provided consistent with the standards for landscaping and tree preservation as identified within Sections 19-5-6 and 19-5-7 of this Ordinance. Native trees and other vegetation shall be preserved to the extent possible and the overall site design shall take advantage of the location of existing trees as well as natural openings or clearings on forested sites.

O. STORMWATER LOW IMPACT DEVELOPMENT TECHNIQUES.

Winchester, VA

1. Objective. Cottage housing developments shall be designed to take advantage of open space and landscaped features to utilize stormwater low impact development techniques including natural filtration and on-site infiltration of stormwater.
 - a. Low impact development techniques for stormwater management shall be used wherever possible. Such techniques may include the use of pervious pavers in

parking areas and for walkways, directing roof drains and parking lot runoff to landscape beds, green or living roofs, and the use of rain barrels.

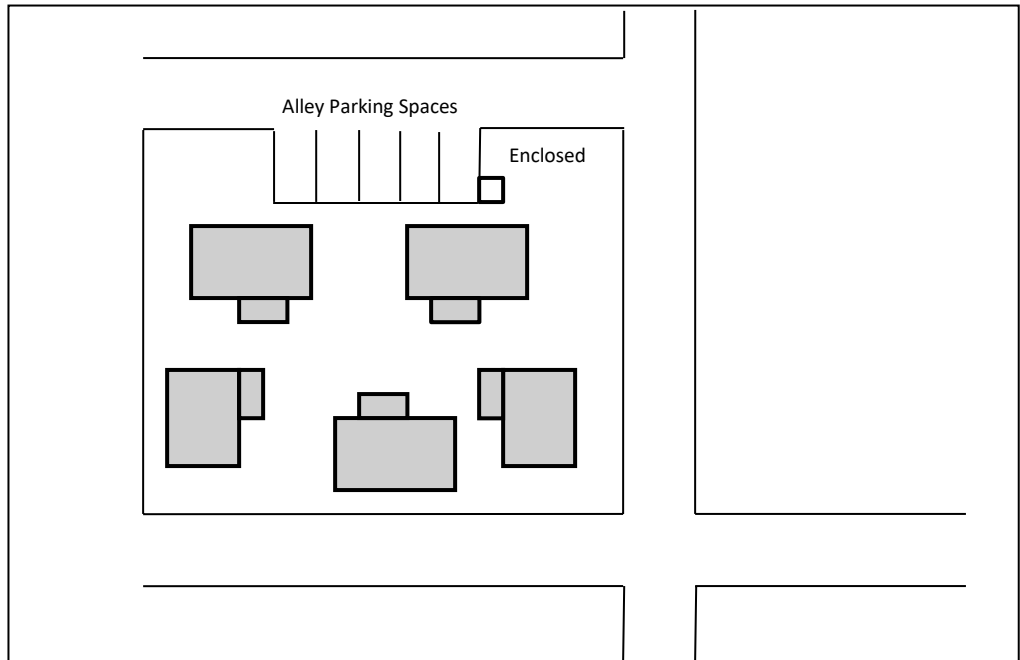
- b. Cottages should be located so as to maximize natural stormwater functions. Cottages shall be clustered and parking areas shall be located to preserve as much contiguous, permanently undeveloped open space and native vegetation as possible.

P. OFF-STREET PARKING.

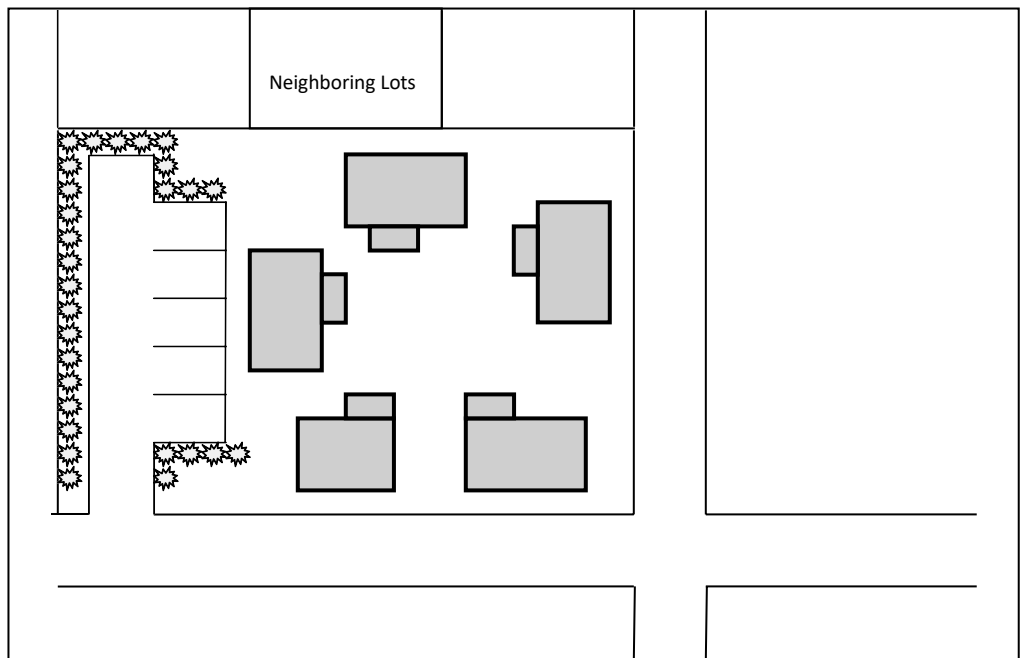
Winchester, VA

1. Objective. Off-street parking space requirements for cottage housing developments shall be consistent with Section 18-6-5 of this Ordinance. Off-street parking shall be located and designed to be less visible from frontage streets than the cottages themselves. Off-street parking shall be designed to maintain a pedestrian character for the overall cottage housing development. Clustering parking to the side or rear of a cottage project will most often best accomplish these goals. However, on a site-specific basis, design solutions other than clustering may be found to meet this objective through the alternative design process. Parking areas shall be attractively landscaped to screen parking from adjacent properties and public rights-of-way and shall meet applicable parking lot landscape standards, as provided for within this article and Article 19 of this Ordinance.
 - a. Off-Street Parking Location. Parking shall be located on the cottage housing development property. Off-street parking lots shall be located to the side or rear of the cottage housing development (see illustrations below). Parking lots shall not be located between the cottage housing development and the primary street frontage.
 - i. Off-Street Parking Screening. Off-street parking may be located in or under a non-cottage parking structure (such as a single or multi-auto carport or garage), but such structures shall not be attached to individual cottages. Uncovered parking is also permitted; provided, that off-street parking shall be screened from direct street view from one or more street facades by garage doors, or by a fence and landscaping.
 - ii. Preferred locations for parking, in descending order of preference, are as follows:

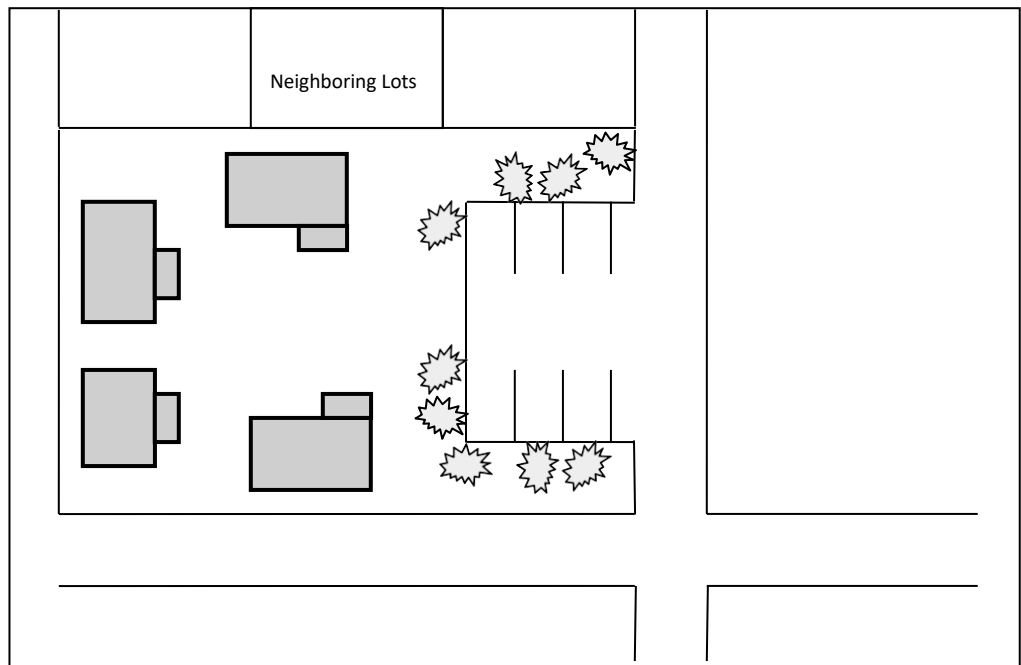
- 1) To the rear of cottage housing units accessed by an alley.



- 2) To the side of cottage housing units accessed by a private driveway.



- 3) Parking on the side (non-primary street) screened from the side street by either garage doors, landscaping, and/or fencing.



- iii. Parking Lot Landscaping. Parking lot landscaping shall comply with the requirements of Section 19-5-6 of this Ordinance.

Q. FIRE-LANE ACCESS AND TURNAROUND PROVISIONS.

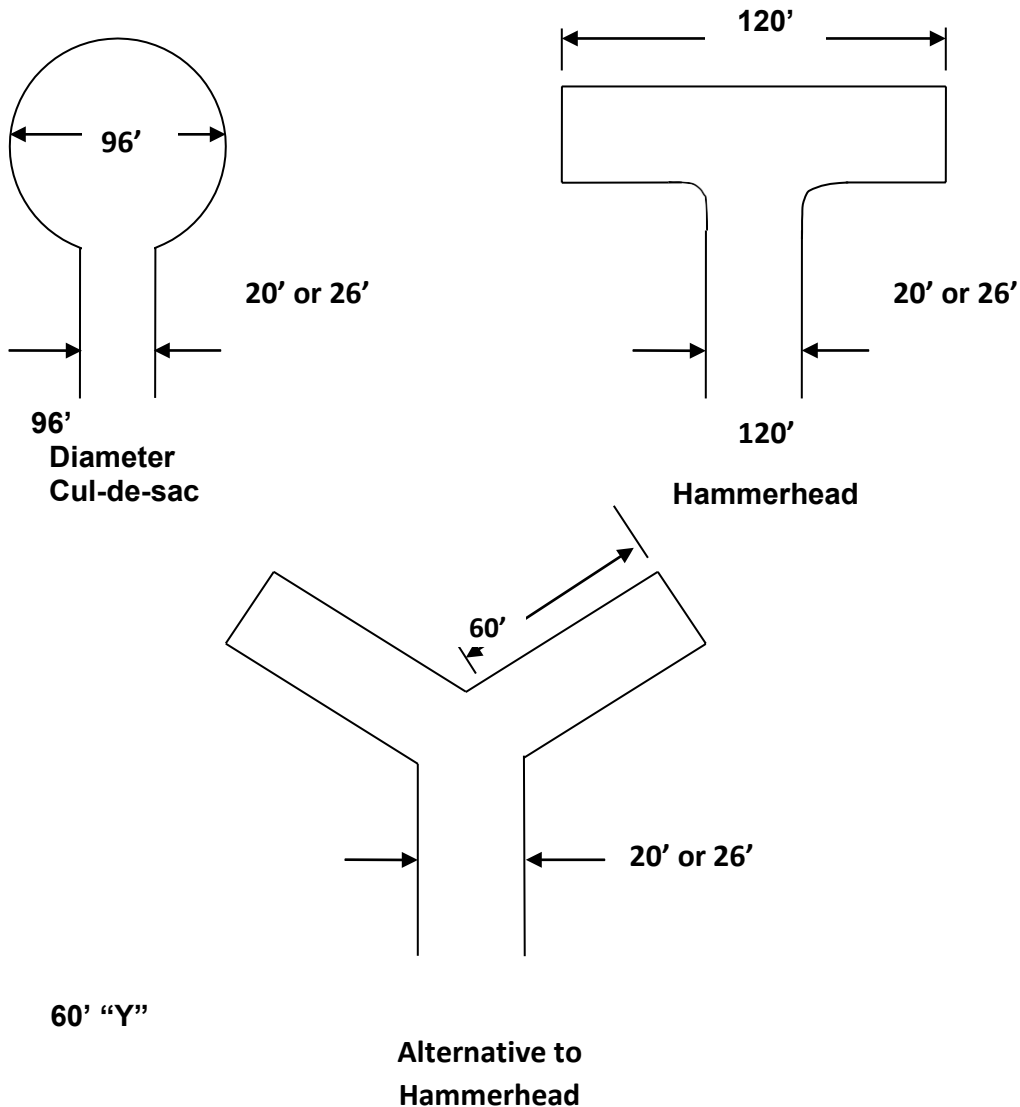
Winchester, VA

1. Objective. Cottage housing developments shall be designed so as to allow for the safe and unobstructed access to individual dwellings by emergency responders (i.e., fire, rescue, police), for the purposes of protecting life, property and overall public safety.
 - a. Fire apparatus access roads shall be in accordance with Chapter 10, Fire Prevention, of the Winchester City Code, and the Virginia Statewide Fire Prevention Code, as amended.
 - b. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with the Table and Diagrams below:

Table 13.1-18.

Length (feet)	Width (feet)	Turnarounds Required
0-150	20	None required
151-500	20	120-foot Hammerhead, 60 foot "Y" or 96-foot-diameter cul-de-sac in accordance with the diagrams below.
501-750	26	120-foot Hammerhead, 60 foot "Y" or 96-foot-diameter cul-de-sac in accordance with the diagrams below.
Over 750	Special approval required	

Diagrams 13.1-18.



R. EXTERIOR LIGHTING AND HEATING/COOLING EQUIPMENT NOISE.

Winchester, VA

1. Objective. Cottage housing developments should be designed to minimize light and noise impacts both within the development and to adjacent properties.
 - a. Where provided, exterior lighting shall be mounted as low as possible, pointed downward, and the light source shall be shielded from direct observation from above, adjacent properties, and public rights-of-way. Lighting “spillover” to adjacent properties shall be avoided.
 - b. Heating and cooling equipment for cottage housing developments shall be designed and appropriately screened to cause little or no visual and/or noise impacts within the development and to adjacent properties.

S. REQUIRED SEPARATION OF COTTAGE HOUSING DEVELOPMENTS.

Winchester, VA

1. Objective. Cottage housing developments in single-family zoning districts shall be separated from each other by a minimum distance to promote housing-type diversity, to reduce potential cumulative impacts of cottage housing development, and to help protect neighborhood character.
 - a. Each cottage housing development shall be separated from any other cottage housing development by a distance of at least 1,000 feet or one block, whichever is greater.

T. OWNERSHIP AND RESIDENTIAL USE OF COTTAGES.

Winchester, VA

1. All cottage housing developments shall be developed as residential condominiums, pursuant to the provisions found in Chapter 4.2, Title 55, of the Code of Virginia (1950), et seq., known commonly as the “Condominium Act.” Appropriate documentation of formal legal ownership of the development shall be recorded with the Commonwealth of Virginia, the Winchester Circuit Court Clerk, and the Tax Assessor’s Office with the City of Winchester.
 - a. Cottages are for residential use only and may not be operated as transient accommodations.

U. ALTERNATIVE SITE DESIGN.

Winchester, VA

It is possible that an alternative design may fulfill the intent of this article, while not complying with the provisions herein. Requests for alternative designs shall be processed as a Conditional Use Permit, pursuant to Section 18-2 of this Ordinance and Article 19, Site Plan Requirements.

(Editor's note: Article 13.1 established 8/9/11, Case TA-11-125, Ord. No. 2011-36)